STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

TO: Sponsors of the National School Lunch Program

FROM: John D. Frassinelli, Division Director
School Health, Nutrition, Family Services and Adult Education

DATE: February 15, 2022

SUBJECT: Operational Memorandum No. 05-22
Requirements for Submitting the Healthy Food Certification (HFC) Statement for School Year 2022-23

The Healthy Food Certification (HFC) statute (C.G.S. Section 10-215f) requires that **each** local board of education or governing authority (BOE) for public schools[1] participating in the National School Lunch Program (NSLP) **each year must certify** whether all food items sold to students (separately from reimbursable meals) **will or will not** meet the Connecticut Nutrition Standards (CNS). This memo provides the **required BOE motion language** and instructions for the HFC application process for school year (SY) 2022-23.

HFC Eligibility Requirements for BOEs opting to implement HFC

The BOE must complete a vote on the required motion language in this memo by **July 1, 2022**, or the BOE will not be eligible for HFC during SY 2022-23 (July 1, 2022, through June 30, 2023). Each BOE must choose one of the two options below to satisfy this requirement and be eligible for HFC.

- **Option 1:** Using the **exact language** included in this memo, the BOE conducts three votes: 1) whether the district will **participate** in the healthy food option; 2) whether the district will allow **food exemptions**; and 3) whether the district will allow **beverage exemptions**.
- **Option 2:** Using the **exact language** included in this memo, the BOE conducts two votes: 1) whether the district will **participate** in the healthy food option; and 2) whether the district will allow **food and beverage exemptions**.

Required healthy food option vote for all BOEs

The BOE must vote "yes" or "no" for implementing the healthy food option of C.G.S. Section 10-215f. The motion and board-approved meeting minutes ***must include the exact language below***:

> ***Motion language for healthy food option:*** Pursuant to C.G.S. Section 10-215f, the board of education or governing authority certifies that all food items offered for sale to students in the schools under its jurisdiction, and not exempted from the Connecticut Nutrition Standards published by the Connecticut State Department of Education, will comply with the Connecticut Nutrition Standards during the period of July 1, 2022, through June 30, 2023. This certification shall include all food offered for sale to students separately from reimbursable meals at all times and from all sources, including but not limited to school stores, vending machines, school

[1] Public schools include all public schools, regional educational service centers, the Connecticut Technical Education and Career System (CTECS), charter schools, interdistrict magnet schools, and endowed academies.

cafeterias, culinary programs, and any fundraising activities on school premises sponsored by the school or non-school organizations and groups.

Required vote for food exemptions for BOEs opting to implement HFC

If the BOE votes "yes" for implementing the healthy food option, the board-approved meeting minutes and motion must reflect a "yes" or "no" vote on the ***exact language below.***

> ***Motion language for food exemptions:*** The board of education or governing authority will allow the sale to students of food items that do not meet the Connecticut Nutrition Standards provided that the following conditions are met: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the food items are not sold from a vending machine or school store. An "event" is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. For example, soccer games, school plays, and interscholastic debates are events but soccer practices, play rehearsals, and debate team meetings are not. The "regular school day" is the period from midnight before to 30 minutes after the end of the official school day. "Location" means where the event is being held and must be the same place as the food sales.

Note: If the BOE votes "no" for the healthy food option, a vote on whether to allow food exemptions is **not** required.

Optional vote for beverage exemptions for all BOEs

The state beverage requirements (C.G.S. Section 10-221q) apply to all public schools, regardless of whether the district participates in the NSLP or certifies for the healthy food option of HFC. If the BOE does not have a beverage exemption in place, the BOE's schools can **never** sell noncompliant beverages to students. **If the BOE chooses to allow beverage exemptions,** the motion and board-approved meeting minutes ***must include the exact language*** below:

> ***Motion language for beverage exemptions:*** The board of education or governing authority will allow the sale to students of beverages not listed in Section 10-221q of the Connecticut General Statutes provided that the following conditions are met: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the beverages are not sold from a vending machine or school store. An "event" is an occurrence that involves more than just a regularly scheduled practice, meeting or extracurricular activity. The "school day" is the period from midnight before to 30 minutes after the end of the official school day. "Location" means where the event is being held and must be the same place as the beverage sales.

Option to combine food and beverage exemptions

Instead of two separate food and beverage motions, the district may choose to combine food and beverage exemptions into one motion by using the exact language below:

> ***Motion language for combined food and beverage exemptions:*** The board of education or governing authority will allow the sale to students of food items that do not meet the Connecticut Nutrition Standards and beverages not listed in Section 10-221q of the Connecticut General Statutes provided that the following conditions are met: 1) the sale is in connection with

an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the food and beverage items are not sold from a vending machine or school store. An "event" is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. For example, soccer games, school plays, and interscholastic debates are events but soccer practices, play rehearsals, and debate team meetings are not. The "regular school day" is the period from midnight before to 30 minutes after the end of the official school day. "Location" means where the event is being held and must be the same place as the food and beverage sales.

HFC Application Process for SY 2022-23

All public school sponsors of the NSLP applying for HFC for SY 2022-23 must complete the three steps below to meet the HFC application deadline of **July 1, 2022.**

1. Schedule the two required votes (healthy food option and food exemptions) at a BOE meeting **before June 30, 2022**. If the district chooses to allow beverage exemptions, the CSDE recommends that the BOE conduct the vote on beverage exemptions at the **same time** as the HFC votes.

2. Maintain a copy of the board-approved meeting minutes indicating the results of the HFC votes. Do not submit these minutes until requested (see step 3).

3. **May 2022:** Complete the online HFC application module in the CSDE's Connecticut Online Application and Claiming System for Child Nutrition Programs (CNP System). Upload the board-approved meeting minutes indicating the results of the HFC votes for the healthy food option and food exemptions (and the vote for beverage exemptions, if applicable). **Note:** The CSDE will notify sponsors when the HFC application module and instructions are available. Do **not** access the CNP System prior to receiving this notification.

For additional guidance on the HFC application process, review the CSDE's presentation, Application Procedures for HFC, and visit the "Apply" section of the CSDE's HFC webpage.

Refer to Appendix A for a list of resources with the requirements that schools must follow to ensure HFC compliance. For questions or additional information, please contact Susan Fiore at 860-807-2075 or susan.fiore@ct.gov or Teri Dandeneau at 860-807-2079 or teri.dandeneau@ct.gov.

JDF:sff

Important: This is a numbered Connecticut State Department of Education (CSDE) operational memorandum that contains important program information. Please read carefully and retain for future reference. All CSDE operational memoranda are posted on the CSDE's Operational Memoranda for School Nutrition Programs webpage.

Appendix A

This appendix accompanies the Connecticut State Department of Education's (CSDE) Operational Memorandum No. 05-22: *Requirements for Submitting the Healthy Food Certification (HFC) Statement for School Year 2022-23*. It includes CSDE resources and websites that provide guidance on meeting the federal and state requirements for foods and beverages in HFC public schools. For a comprehensive list of resources, refer to the CSDE's document, *Resources for Meeting the Federal and State Requirements for Competitive Foods in Schools*.

- Allowable Beverages in Connecticut Public Schools
- Beverage Requirements (CSDE webpage)
- Connecticut Nutrition Standards (CSDE webpage)
- Ensuring District Compliance with HFC
- Evaluating Foods for Compliance with the Connecticut Nutrition Standards ("How To" section of CSDE's Connecticut Nutrition Standards webpage)
- Guidance on Evaluating Recipes for Compliance with the Connecticut Nutrition Standards
- Guide to Competitive Foods in HFC Public Schools
- Healthy Food Certification (CSDE webpage)
- How to Evaluate Foods Made from Scratch for Compliance with the CNS
- How to Evaluate Purchased Foods for Compliance with the CNS
- List of Acceptable Foods and Beverages (CSDE webpage)
- Overview of Connecticut Competitive Foods Regulations
- Presentation: Beverage Requirements for Connecticut Public Schools
- Presentation: Complying with Healthy Food Certification
- Presentation: Connecticut Nutrition Standards
- Presentation: Healthy Food Certification Fundraiser Requirements
- Questions and Answers on Connecticut Statutes for School Food and Beverages
- Requirements for Competitive Foods in HFC Public Schools
- Requirements for Food and Beverage Fundraisers in HFC Public Schools
- Requirements for Foods and Beverages in Culinary Programs in HFC Public Schools
- Requirements for Foods and Beverages in School Stores in HFC Public Schools
- Requirements for Foods and Beverages in Vending Machines in HFC Public Schools
- Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools
- Summary of Connecticut Nutrition Standards